

# **FISCAL MEMORANDUM**

## **SB 3600 – HB 3718**

April 21, 2008

**SUMMARY OF AMENDMENT (017170, 017177):** Amendment 017170 removes language from the bill which restricted the prohibition on the creation or transfer of false identification for the purpose of the employment of illegal aliens. According to the bill as amended, such actions would be prohibited for the purposes of obtaining or maintaining employment without regard to immigration status. Amendment 017177 increases the penalty for such a violation from a Class B misdemeanor to a Class E felony.

### **FISCAL IMPACT OF ORIGINAL BILL:**

Increase Local Revenue – Not Significant

Increase Local Expenditures – Not Significant

### **FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Increase State Expenditures\* - \$763,600/Incarceration**

**Increase Local Expenditures – Not Significant**

Assumptions applied to amendment:

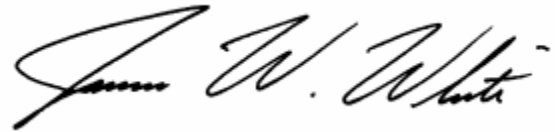
- The Department of Correction (DOC) estimates 100 persons will be sentenced for the Class E felony offense of manufacturing, producing or trafficking false documentation for the purpose of obtaining employment and will serve 0.3 years (109.58 days) in the first year.
- According to the DOC, the average operating cost per inmate per day for calendar year 2008 is \$62.78. According to the U.S. Census Bureau, population growth in Tennessee has been 1.09 percent per year for the past 10 years, yielding a projected compound population growth of 13.6 percent over the next 10 years. Population growth will result in 11 additional offenders in the tenth year. The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based on 111 offenders. The cost per inmate at 0.3 years is \$6,879.43 (\$62.78 x 109.58 days). The total additional operating cost for 111 offenders is \$763,616.73 (\$6,879.43 x 111).

- Any increase in local government expenditures to report to the Department of Homeland Security any person violating the provisions of the bill who is determined to be an illegal alien is estimated to be not significant.

*\*Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

## **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

/cce